

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL CROTZER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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Civil Action No. **3:09-CV-1998-L**

ORDER

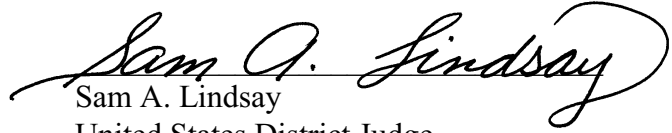
Before the court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”), filed October 21, 2010; and Defendant’s Notice to the Court on the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, filed November 5, 2010.

Plaintiff contests the findings of the administrative law judge (“ALJ”) who considered his case, arguing that the ALJ applied the incorrect legal standard in evaluating the evidence. The magistrate judge, after a careful analysis, determined that the ALJ did apply the incorrect legal standard and recommended that the case be remanded to the ALJ. Defendant filed notice that no response objecting to the Report would be filed.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge’s findings and conclusions are therefore **accepted** as those of the court. Accordingly, the final decision of the Commissioner denying Disability Insurance Benefits and

Supplemental Security Income is **reversed**, and this action is **remanded** to the Commissioner for further proceedings consistent with the court's order.

It is so ordered this 30th day of November, 2010.


Sam A. Lindsay
United States District Judge